

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/20/21
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CASSANDRA SHIH,

Plaintiff,

-against-

PETAL CARD, INC., f/k/a CREDITBRIDGE,
INC., et al.,

Defendants.

18-CV-5495 (JFK) (BCM)

CORRECTED ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court conducted a discovery conference on August 17, 2021, with respect to (1) plaintiff's motion to compel the production of certain communications to or from defendant Jason Gross (who was once a lawyer admitted to practice in New York), which were withheld or redacted by defendants on attorney-client privilege grounds (Dkt. No. 177); and (2) defendants' motion to compel the production of certain communications with Lane Kauder (who is now plaintiff's husband and a lawyer admitted to practice in New York), which were withheld by plaintiff on work-product, attorney-client privilege, and/or spousal privilege grounds (Dkt. No. 176.) For the reasons discussed at the August 17, 2021 it is hereby ORDERED as follows:

1. As to Dkt. No. 177:

- a. No later than **August 20, 2021**, plaintiff shall identify to defendants up to six (6) withheld or redacted documents (from those appearing on the log at Dkt. No. 177-1) to be submitted to the Court for in camera review.
- b. No later than **August 23, 2021**, defendants shall submit the documents identified by plaintiff, together with up to three (3) additional withheld or redacted documents (from those appearing on the log at Dkt. No. 177-1), for in camera review by emailing them to the Court at Moses_NYSDChambers@nysd.uscourts.gov. Defendants shall then file a confirming letter on ECF that identifies all of the documents submitted for in camera review.

2. As to Dkt. No. 176:

- a. No later than **August 23, 2021**, plaintiff shall produce to defendants the documents identified as PRIV00000001 - PRIV00000009 on the log at Dkt.

No. 176-1. Plaintiff has not met her burden of demonstrating that these documents were properly withheld on any of the grounds asserted.

- b. No later than **August 20, 2021**, defendants shall identify to plaintiff up to six (6) withheld documents, all dated between January 14 and June 24, 2019, for in camera review.
- c. No later than **August 23, 2021**, plaintiff shall submit the documents identified by plaintiff, together with up to three (3) additional withheld documents (within the same date range) for in camera review by emailing them to the Court at Moses_NYSDChambers@nysd.uscourts.gov. Plaintiff shall then file a confirming letter on ECF that identifies all of the documents submitted for in camera review, together with copies of (i) the portions of plaintiff's supplemental privilege log corresponding to the excerpts submitted at Dkt. Nos. 176-1 and 181-1, and (ii) Mr. Kauder's written agreement with Mr. Dawson's law firm to provide legal services in this case, dated June 24, 2019.

To the extent the Order at Dkt. No. 193 is inconsistent with this Order, Dkt. No. 193 is VACATED.

Dated: New York, New York
August 20, 2021

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge